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Docket No.: 20441US0PCT

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

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RE: Application Serial No.: 09/786,359

Applicants: Nobuchika YAMAMOTO, et al.

Filing Date: March 14, 2001

For: NEW USE OF IMMUNOSUPPRESSANTS FOR MMP-
MEDIATED DISEASES

Group Art Unit: 1653

Examiner: Billy D. CHISM

SIR:

Attached hereto for filing are the following papers:

**Response to Election of Species Requirement (3 pgs), International Preliminary Examination
Report (6 pgs)**

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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DOCKET NO.: 204415USOPCT

IN RE APPLICATION OF:

NOBUCHIKA YAMAMOTO ET AL. : GROUP ART UNIT: 1653

SERIAL NO.: 09/786,359 :

FILED: MARCH 14, 2001 : EXAMINER: CHISM, B.

FOR: NEW USE OF IMMUNOSUPRESANTS FOR
MMP-MEDIATED DISEASES

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

Responsive to the Official Action dated September 30, 2002, Applicants elect, with traverse, tacrolimus: Species (ii), as a single disclosed Species. Claims 1, 8, 10 and 11, are believed to read on the elected species.

REMARKS

The Office has required the election of a single disclosed Species in the present application as follows:

- (i): cyclosporin A;
- (ii): tacrolimus; or
- (iii): 33-epi-chloro-33-desoxyascomycin.

Applicants elect, with traverse, tacrolimus: Species (ii), as a single disclosed Species.

Claims 1, 8, 10 and 11, are believed to read on the elected species.